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THE NEW-HAVEN DIVORCE CASE.

A New Phase in the Case—Counter Charges of Dr. Bennett Against Mrs. Bennett.

Direct Examination of Dr. George Bennett Continued.

EIGHTH DAY.

NEW HAVEN, Friday, Dec. 10, 1858.

At 9 o'clock this morning the Court opened, and the day of examination of Dr. Bennett was continued. Gov. Dutton again took his station close to the ear of the witness.

Dr. Bennett continued—Mrs. Bennett says I would not get a physician in time when she was confined; the day she was confined I was in the garden, it was in the Fall of the year, raking up leaves; that morning she was at breakfast in the kitchen; after raking the leaves I went up stairs to see her; I went up without being called; she was standing at the bed in some little distress; I immediately went after the physician, Dr. Hooper, in Olive-street; they told me was not at home, but at the Medical College; I went up to the Medical College, but he was not there; I then went back again, but he had not returned to his home; I hardly know then what to do; but I knew something must be done, and I am not positive which of the two Dr. Ives' I went to; I went to one of them, and he was not at home; it was very unpleasant, cally by and large; my health was miserable at the time, and I caught a very severe cold; I then went home, for I was pretty near home, to see how Mrs. Bennett was; or I don't know but what I went after a nurse before I went home, and took her there; I then went again to Dr. Skilin, and found him, and told him I wanted him to come immediately home with me; there was a gentleman in the office at the time; the Doctor said he would go up after dinner; he was going to sit right down at the table; I said, "Doctor, you must come right away; it is very urgent; I can't wait;" he said his dinner would take but a little time; he guessed it would do them; I looked at him, and spoke pretty sharp, and said, "Doctor, now or never;" the Doctor was weary; I don't know that I can blame him; I then went to Dr. Hooper's, in Olive-street, and he went with me, and in a few moments we were at the bedside of my wife; the nurse was there, and I was there, and all passed off charmingly. I did not propose to attend her without having any other physician; I never proposed such a thing, nor thought of it; I never refused to go after a nurse; our cook, who had reared a family of children, was also there; she was the first person who kissed the child, before it was washed; she said it would do her good; she was an Irish woman; as I said before, I caught a very severe cold, and it was necessary I should go out at other times, for the benefit of Mrs. B., and then added to my cold; I still grew worse for three to four or five weeks, and my throat was very stiff; I could hardly turn it in and my chest was so affected that it was almost impossible for me to breathe; a slight cold most any time would affect my throat, so that, to swallow a little water would strangle me, almost; one evening, while my neck pained me so badly, I got a piece of flannel, and saturated it with laudanum, and at the same time bathed my neck with it before I went to bed, and also bathed my breast, and then went to bed and took a pleasant night's rest; Mrs. Bennett lay at the back side of the bed, and the little baby still further back, between her and the wall; I woke up in the night, and found myself lying just where I put myself when I went to bed, and found the baby between us, and pretty tightly there too, for Mrs. Bennett was pretty close to me; I saw that all appeared to be right; just shut my eyes and went to sleep again; in the morning Mrs. Bennett got up before I did; at any rate she went down stairs first, and left the little baby in bed with me; I soon got up and dressed myself to go down stairs; the child's baby was asleep; along about nine or ten o'clock, or quite late in the morning, the little baby appeared unusually sleepy; it tried to open its little eyes, but couldn't keep them open; *I thought nothing of it, until Mrs. Bennett came*, like most young mothers; and seemed to be a little worried; I told her that there was nothing particular the matter with the baby, only that it had probably inhaled the laudanum from my bathing; I knew that to be the case; the child had laid all covered up in the bedclothes; *I think she spoke* first of going to the physician's; I went down to *Dr. Hooper's*; he was not at home, but I left my name, with a request that he would come up immediately; before I went down I went to my office, and told *Dr. Baker to prepare a little lobelia tea*, and give it to the baby while I was gone; he was not correct in stating that he gave it all and milk; I am quite positive he gave the tea *I had ordered*; the child had been out for three or four hours, and about that time, if I am not mistaken, Dr. Hooper came up, and the baby being so that it could not keep its eyes open; it was pretty much awake; the Doctor did not prescribe to think anything of it; what he ordered I don't remember; Mrs. Bennett thinks strong tea; *I never gave that child any laudanum*; Mrs. Bennett told me I had been giving laudanum to the child; I could not bear to hear her talk that way; if anybody who did not know us had heard her say that, it would have been thought that we were curious people; I have been trying to convince New-Haven people that I was a pretty good sort of man. [Laughter.]

Mr. Blackman—*Ah! I think you will succeed.* [Laughter.]

Witness—I told *Dr. Baker* that I supposed that the baby required something; I do not remember that I told him the cause; I may have told him that it had been inhaling laudanum; I do not think of anything further to state in relation to this matter; a little time after that *Mrs. McKee*, one of our neighbors, who was in the habit of borrowing, and never came over to me, came in to borrow my axe, *or it would be some* letter-paper, or some postage-stamps, and, in fact, everything, even butter and some of these things; she was a general hand at borrowing; I was quite pleased to lend to her, but soon I got very tired of it; one time she borrowed some silver cake-baskets; Mrs. Bennett told me of it; I said, "Why, I declare I wouldn't lend them: it is but a little while since I got them," and I liked to see such things around, especially *when I made Mrs. Bennett a present*; but the cake-baskets were not presents; that day I did not *send for them*; but *next morning*, as I was standing at the stove with the baby, Mrs. Bennett came in and I spoke of the cake-baskets; they had not been returned; I called the girl and told her to tell Mrs. McKee that Mrs. Bennett wanted the *cake-baskets*; *Mrs. Bennett told her* not to say so; I told her to go on, and she went on; *Mrs. Bennett came to me, and seemed to have one of* those fits of anger again, and called me most everything; I do think of the names I says, "Here, give me the baby." As I had the baby in my hands first, I didn't see why I was not entitled to it. But she, not being in her right mind, could not see as I saw, and took hold of the child's dress and pulled, and I just kept hold quietly, [laughter,] and she kept pulling, [laughter,] and it brought the baby pretty nearly in contact with the stove, so near that I thought it was most too warm for it. [Renewed laughter.] I kept the baby. I did not hold up the baby by the stove by one leg. No, no! If she had not taken hold of the baby this thing would not have happened; I should have been sitting down by the stove with the baby, kissing it. [Laughter.] The child may have cried; I don't recollect. Our children were generally very quiet little things. I never said to my wife that I wanted her to go along without another nurse after our first nurse went away. I can't recollect refusing her money to get some oysters; one day I came from down town, came into the house, bringing a ham in; this was in Dixwell-street; a person by the name of Joseph Sheldon went in with me; in those days I had to be very attentive to my business, to pay my debts and support my family; I cannot recollect, but it does seem to me that Mrs. Bennett asked me to cut that ham; I guess I refused; I think I told her I could not stay then; that I must go; she tells me that Joseph Sheldon cut the ham; she certainly is a great carver, and cuts a great many slices. [Great laughter.] Her father sits near by me, and he says I charged him once 50 cents for dinner; her father! the facts are that he was traveling with Mr. Baker, a book-keeper of mine, one who agreed to stay with me one or two years, and left before the end of the time; the old gentleman, Mr. Allis, had been traveling for me, but then was traveling for Mr. Baker, in the bill business; Mr. Allis had no business, and as he had not done right towards me, made me feel rather unpleasant about it.

[Counsel disputed whether Baker was a rival of Dr. Bennett, in the pill business. Baker swore distinctly that he was not. The questions were allowed.]

I told the old gentleman one day in my house that as he was then traveling for Mr. Baker, and he paid his expenses, that I should charge him fifty cents for his dinner; the old gentleman seemed to think pretty hard of it; he didn't want to pay it; it was unpleasant language, a muttering of words; I cannot recollect the words; I told him, "I don't want you to pay anything, unless you are traveling for him;" he finally paid me 37½ cents; we went, while living in Dixwell-street, to Newport or Niagara, I forget which; I think it was Newport—it was to some watering-place—and left her sister in charge of the house; we were gone some little time; we came back, landed at New-Haven depot, and took a very pleasant carriage up; we got two-thirds of the way home, when we saw her sister, Fanny Allis, in charge of two firemen; I don't recollect asking the young lady to leave our house that evening; I didn't like to see her with the firemen; I did request her to leave the house, because of what I have spoken of, together with her influence; she seemed to be putting Mrs. Bennett up to many little things; she was not well thought of in this place.

Judge Stockman—Does this open the question of character, your Honor?

Gov. Baldwin argued the admissibility of the evidence.

[The lady in question is now married to Judge Cole, of *Winona, Minnesota.*]

The Court—If this is stating the cause which actuated witness, it is proper for him to state it.

Judge Stockman—From what my client says to me, your Honor, we prefer it should go on. We wish to know why Dr. Bennett permitted this lady to live in this house if he considered her a bad character. We will put the question properly.

Witness—Mrs. Bennett told me she did not like Fanny's going out with the firemen, and she told me—

[This part of the evidence stopped.]

Witness—Mrs. Bennett wanted to break up housekeeping during the Winter, and go to board at the New-Haven House.

Gov. Dutton—Here is another communication from Mrs. Bennett, addressed to her husband on the second wedding anniversary. It may as well be put in here.

The Governor read poetical effusion No. 2, as follows:

TO MY HUSBAND,

On the Second Anniversary of our Marriage.

Many hours I thought of them,—as time
The dove to seek her perch,
Trembling lest some rude hand had made
Her quick home search;
Many hours I thought of them, as thine
The only heart that dwells with mine.

Many hours I thought of them, as turns
The lonely traveler his weak steps unto
His cot and cheery home,
When from afar can be descried
The only light that kindles the inn.

Many hours I thought of them, as thinks
The mariner of friends,
When tossed through many a dreary waste
Of waters yet to roam.
Thus doth my spirit turn to thee,
My guiding star o'er life's wild sea.

MARY.

NEW-HAVEN, May 14, 1851.

[Mrs. Bennett was inquired of touching the source whence she obtained this poem? She replied, that it was taken from the "Youth's Cabinet." The date she did not remember. "It was long, long ago," she said; and added, "I make no claims to be a poetess."]

Witness—I always thought Mrs. Bennett had enough clothing; I got the dresses while we were in Cherry-street; I thought they were silk, and Mrs. Bennett said they were; I procured the dresses for Mrs. Bennett; I think we had New-Year's calls in Dixwell-street; she did not feel very well, but I asked her to come down, for I was anxious to show her off; [laughter;] I did not think she was too unwell to come down; she was a little complaining; she came down and stayed some little time, and then went up again, and then came down again; I guess I did invite persons to call, but don't recollect about it; I do not remember that she objected to receive calls, or I shouldn't have prepared for it; I do not recollect having scattered corn and beans, *sweetash*, on the floor before dinner. I have some recollection of having told her she ought to wear an apron, on several occasions when she was in the kitchen with a very pretty dress on; I do not remember throwing a mixture for cakes, of eggs, butter, &c., on the floor on any occurrence; I think I would have remembered any such occasion; I know that at one time in Dixwell-street I told her about the apron, and my hand was in the flour, *and I just gave her an idea how it would look on her dress*, (laughter;) I do not recollect of any pump being out of order in Dixwell-street; I have no recollection of a pump; do not remember where we got the water, whether in or out of the house; my mind was so much on my business that I do not remember; I don't recollect ever having stopped up a pump; in regard to breaking up housekeeping, I may have asked Mrs. Bennett how she would like to board; she fell in with the idea, anyway; we both went to the New Haven House to settle the matter.

[Gov. Dutton got round to the dexter ear of the witness, as he said he could hear better on that side.]

Witness.—When we went to the New-Haven House, I think the children were at Mrs. Blakslee's, where we usually left them when we went a little journey; probably I may have urged the matter, and she consented, and I took them there in the carriage; Mrs. Bennett and I generally went together to meals; I should have been very much dissatisfied to go alone, without my wife, whom I thought so much of; (laughter;) Mrs. Bennett may have said she wanted a girl, and I said it was hardly worth while, when we could get along without; the washing was done out, and Mrs. Bennett's sewing was done for her; I have a little recollection that the servant girl of the house used to come in and stay while we were at dinner; I don't recollect leaving her without breakfast one Sunday morning.

Q.—*Did you ever use indecent language to Mrs. Bennett?* A.—There may have been times when I used wrong words to match hers when she gave me cause; I never used harsh words to her unless she had used harsh words to me; I generally went with her in the evening, when she went to nurse the children, when I could; while we were at the New-Haven House I do not remember that Mrs. Bennett made any complaint that she had to go down to her meals alone; I do not recollect any unpleasant circumstance there, except that she wanted a girl; whenever she wanted any little thing that I would not grant, there was generally a fuss; it seems to me there were some little difficulties, but *I always had to yield; I would have stayed* at the New-Haven House longer, only Mrs. Bennett was displeased with some little frivolous matter that occurred there between her and *Mrs. Ives*; *Mrs. Bennett* had her baby down in the parlor, with a little doll-cradle, and Mrs. Ives objected to it; I could not *see any blame in her, and sided up for her*; Mrs. Ives was not in favor of having children in the parlor; Mrs. Bennett said Mrs. Ives complained of it; I did not think it sufficient cause for leaving the hotel; I furnished the room with my own furniture, except the bedstead; Mrs. Bennett had only to talk a little while before I was willing to go; I told her I preferred to stay, because I didn't want to move my furniture back in the Winter, to be upside down again; from the New-Haven House we went to the Tontine Hotel; I cannot tell whose suggestion it was, but she was perfectly willing to go; I recollect now it was her suggestion; we afterwards went back to Dixwell-street, and then to George-street; *I think I consulted her about the purchase of* the house in George-street, because I almost always consulted her; the purchase was with her approbation and consent; she speaks of not having fire in the furnace; we had a fire for one Winter, if not for two, and I had had nothing to do with a furnace before, and I disliked it very much, and could not tell what was the matter; *I finally found that the gas* was escaping; Mr. Campbell attended to the furnace; *we used to send for him, and he would fix it all right*; but after using it a short time longer, I found it just as bad as ever; the last Winter or two we Kept house there, I found it would not do to use it, and got an air-tight stove, and placed it in the dining-room during the Winter; the furnace warmed the dining-room, sitting-room, two parlors, the hall and two rooms overhead; it was designed, when we first went, to heat the parlors only; *I did let the fire down out of the furnace*; the reason was that the heat affected my throat; I told Mrs. Bennett frequently that she could not have fire in the furnace; I am very much opposed to stoves, and am much in favor of having the house heated up, and I went to see if I could not see somebody's furnace that was heated by steam; very recently I have been *talking with a person about having a steam-engine* put up in the lower part of my garden to run a printing press I have, and to use the steam to heat my house; I had very nice carpets, and the original register was in the corner, and I did not wish to cut those pretty carpets; I had a great desire to put marble mantels, and wanted to contrive it so as to have the conductors led up behind the mantels, and have the registers there; I had considerable taste, and Mrs. Bennett too; (laughter;) the last year I was there I got an air-tight stove, and put it in the sitting-room; we had a very pretty, large range, and that would heat the kitchen and the room above, unless it was a very cold day; the range did not heat the room above; the furnace did that; in the dining-room there was an air-tight, pretty stove,—a pretty large room; in the sitting-room we could put a fire in a little grate; one parlor could only be heated by the furnace, and in altering the registers the heat was carried clear across the room, and I found that the parlors could not be heated as well afterwards; the mantels got smoked because the grates were not properly connected with the marble front and when the fire was kindled up with wood it would smoke through, and no one to blame for it; I never stopped up the flue, never, never! I wanted a fire built there; the mason told me I could not do it; I said I will do it; the flue was divided, so that a fire might be made there, independent of the furnace; Mr. North told me several times about this matter that I was about right, and he pitied me; [Mr. North succeeded Dr. Bennett in the occupancy of the house;] I did not intimate to him that the flue was smoked in consequence of difficulty with my wife; I never did such a thing—that is not my way at all—and I don't know that I ever spoke unkindly of my wife to anybody; I wanted to make the house pleasanter to her; Mrs. Bennett said I agreed that we would have an addition, and in order to make an addition, moved a large wooden house down another street for some rods to enlarge my door-yard; the addition was a large one, and cost some $6,000; the removal of the old house cost some $600; in forming a bay window to the sitting room, it was necessary to knock the wall out, and expose the interior of the house; this part was on one side of the hall, and did not affect the other side; it took a good deal of time to arrange this, but still we thought the other part of the house habitable, and stayed, and went to the City Hotel and took our meals; this was a great undertaking for me, for I, of course, would have to oversee it a good deal; that, with the charge of my business, was a little more than I ought to have attended to; I had a single horse and wagon there, and would at most times, perhaps most of the time, take my little family down to the City Hotel; but this was an unusually kind, gentle horse; Mrs. Bennett drove it about the city everywhere; I don't recollect that she objected to going to the City Hotel to take our meals; I shouldn't wonder if I have left her standing when I drove away, when I was hurried; I had no ill motive, certainly not; oh, no! it was because my business pressed me; there may have been times when I urged her to hurry; it was just like me; [laughter;] I would wait some little time at the door, and would think it was long enough, and would go out; but I was sorry she wasn't with me; [renewed laughter;] there was one time at Branford Point when a young lady came with me; I told Mrs. Bennett that this young lady was at my house, and told her that I gave her a gold ring; [laughter;] Mrs. Bennett did not make any reply that I recollect; she seemed to think I spoke in a joking way; that was the way I *spoke of it; I did not have any improper intimacy* with the young lady; not at all—not at all; I had a wife six miles off, and a horse and carriage, and I could have gone there; [shouts of laughter;] it was in the garden that the young lady did put her finger in the butt-hole of my coat; she was talking and leaned up pretty well; it was natural when she was leaning up for her to lean up against my button-hole—[great laughter;]—What was she there for, in the question; I used to keep my labels in my house, in a little room over the hall; I was very choice of them, for if I got out of them I should have lost so much money; I never knew the girl yet that I had, but would come into the house after labels; that was very general; and I don't know that I ever had a girl yet but I made *presents to*; but I always saw that my wife was well provided for, first; everybody knows I was attached to my wife; to have her go alone, but I knew she would go; we got to the *Presidents office*, and she took her story to him, and he told her that a certain syrup and pills were required; they still talked together; I all the time did not know a word that they said; she *knew* I hadn't was her saying that the syrup was so much, and the pills were so much; it was either $2 50 or $3 apiece; she had either the bottle or the pills in her hands; I don't know which; I told her there was no use in getting both; she said one of them alone wouldn't do; I told her, however much I disliked to pay the money, I was very glad she knew one of them; we got some, which one I do not think the medicine; I did not intend by so doing to hinder her taking it; I was glad to have her take it; I was anxious to serve the best way, for her and taking it; I never broke it rumored because she threw medicine out of the window of that old ship-yard; the physician to whom we went to get this medicine was Dr. Lyon; he told him, Bennett that one medicine alone would be of no use; I don't know that Dr. Hooster ever came to our house for such a purpose; when we first lived in Dixwell-street, Dr. Heather came there as our family physician; he came only for good purposes; there have been times when I saw mouldy potatoes, and I have told her some two or three times her things had not been properly seen to all times; I found mouldy potatoes and some stuff that had got mouldy in the cellar; I brought them up into one of the rooms, and put them where I saw fit; I had no other object; on one occasion I brought up a large mixture and put it in the front parlor, [laughter;] I thought it ought to be fixed and cleaned; that was the only reason; she says she did not use it all; company came in; I was sorry the company came in; if I had known it, I would have taken it out myself; I guess Mrs. Bennett was mistaken about appearing at her business she did not take better care; when I scattered the flowers about, it was the same occasion when I laid the things over in the parlor; (grass in the garden, when she spoke quietly to me;) took a bouquet from her and threw it away; I recollect that once, when we were going to ride out on an unpleasant day, I requested that she would have the children come into the house; they were playing on the pavement; I do not recollect whether the request was thrown away the same day; I have no Mrs. Bennett, as she care of other gentlemen to go to manners and ceremonies; I suppose it would please her; she expressed no dissatisfaction; oh, no! oh, no! she went and seemed very pleasant; I think that occasion twice I got out of the carriage, and put other gentlemen in with her; Mr. Sheldon was one of those gentlemen; it seemed to me that he was very attached to her; I generally went down to the old Yellow Cottage with her; I left her there, and went down to the Post-Office; once or twice I didn't get back in time and found she had gone home; I did not suppose it was unpleasant to her; if it had been she would have gone home alone; many times she has gone out down as far as the Post-Office, or further, as late in the evening as this; I do not recollect leaving her alone with a gentleman at a German Concert we went to; I never had any design to put her in a false position, or make the public talk about her; oh, no! she has sometimes complained that I left her to come home with other gentlemen; but she never complained at the time; never until her petition for divorce was got up; I recollect of her going to Mrs. Quarto dancing exhibitions; she wanted me to go; I wouldn't not, and tried to prevail on her not to go; I told her that would not look well; she said she would go who didn't care; I believe I went once or twice, for I did not like to have her go alone; she used to come home with another gentleman, and one or two of our neighbors would have their gentlemen too; she would with other gentlemen, as well as returned; she came with one gentleman in particular, Mr. Beck; she used to go out slyly, so that I wouldn't know; she used to call on a neighboring young lady, and they went together with the gentleman; she would return about eleven or twelve o'clock; she went with Mrs. Beck on other occasions; Mr. Beck gave my little children a present on New-Year's Day of a box of candies; I was highly pleased with Mr. Beck; I wanted the Colleges, and invited him to come and take a meal; but how he ever came there first, I never could find out; I did not invite him; I got so that I thought we had better live more quietly; I told Mrs. Bennett that we had better not have so many callers; there were some half-a-dozen callers; I rather think they called to see Mrs. Bennett, as they held their conversation with her and not with me; these were all young gentlemen; some had called without my invitation; others I invited; I think it is a long time ago when I first invited other gentlemen to him my wife; I would kiss the ladies the gentlemen brought in, and tell the gentlemen to kiss my wife (laughter;) the design was to make it cheerful; to make her happy (roars of laughter;) there have been gentlemen to call upon her contrary to my wishes, and I told her I had rather they would not come; Mr. Horace Smith, I know; he called many times; one time, I was sitting in the little hall library, Mrs. Bennett came in and said, "Bonnet, I wish you would go out; I want to stay here now;" it was a great place of her's for writing; she would lock the door, and would not open when I knocked; on this occasion she wanted me to go out because she wanted to write or be alone; she began to talk rather pleasant; said she was going to leave company up from New-York on Commencement Day—her sister, Fanny Allis, and Sarah Newman, my cousin; she spoke in a good humor, and said she wished I would write down and have Horace Smith come up; I told her "No, I would not;" she began to be a little impatient then, and said "I good don't, I will;" I told her that would not do, for I would rather he wouldn't come up; I didn't want him; I was decided and said "No, he shall not come;" and she, at the time, said she would write; I then left the room, supposing, of course, she would as I did; she could get rid of me, and that she knew my mind; I also said that she would have to find some other room to write in; I left the front door of the house; I was in the habit of locking the door when I went out; I went down to the garden, made a bouquet, and put that on the foot of the bed; *I then went down to Stratford, and found Mr.* Allis very handy; I told him I would like to have him come over; he said he would come over; I took the first train back; at the Junction, I met Mr. Hubbell, and he sat down by me in the car, and began to talk; he said——

Mr. Blackman—I object.

Witness—(not *hearing*)—*He said*——

Mr. Blackman—(shouting vigorously)—*I object!*

Witness was finally stopped.

The Court—Mr. Sheriff, it is about the time when many wish to leave the room for tea. Let such go now; we will suspend proceedings for a few minutes.

Witness started off again. Counsel shouted "Hold on!"—and Dr. Bennett held on till the Court resumed.

A NEW PHASE—HORACE SMITH AND MRS. BENNETT.

When I landed at New-Haven I went up home very fast, but Mrs. Bennett was not there; I steered very fast to the depôt, and saw my carriage and horses there, and Mrs. Bennett in the carriage apparently waiting for somebody; I did not let her see me; she waited till all the passengers had got out of the cars, and then she went away; I returned to the house; I spoke to the coachman, and from what he said, I just kept quiet; I think it was next day, in come Horace Smith and stayed there about all Commencement time; Sarah Newman and Mrs. Bennett's sister, and occasionally Mr. Sheldon, were there; they did not seem to take any notice of me; they would keep by themselves, and *I was treated as one not belonging to there*; occasionally, when they would sit up quite late, I not having the privilege of being with them, and Mrs. Bennett not treating me as a wife should, of course I felt very unhappy; Mr. Horace Smith lodged there; in the evening, sometimes, I would go and lie on the bed till Mrs. Bennett came up, and being weary, and not having very well, would fall into a light doze, and when I would wake up, hearing a noise, I would hear him in his bedroom, Mrs. Bennett standing sometimes in the door and sometimes inside the door; she would come in and we both would prepare her bed; she would say sometimes, "I must go into Horace Smith's room," and she would go for a minute or two; they would go out together to Commencement and to other places; I don't recollect whether they ever went out in the evening together; while he was there, I said to Mrs. Bennett, "I wonder why he is there?" I wondered why she would write; she made no reply; she muttered something that could not be heard; I think he went away at the close of Commencement; he is not at all related to Mrs. Bennett; I don't recollect that I have charged her with riding out with Smith during my absence; *one time she had packed away things belonging to the house, bed-quilts, silver ware, and all small articles that could be well taken away*; this was just before this Commencement time; the things were all packed away, and *she said she was going to stay in New-York*; she went down there, and staid, with a Mrs. Ward Newman, my aunt, where her sister boarded or had a room; the things were all gone from the house that I have spoken of; I wrote to her, but she did not answer my letters; I stayed alone; she had gone in a passion, and I knew that her feelings were not pleasant at all to me; after a week or two, not hearing from her, I went down, but she told me I had no right to stay there, and when last time came I went to a hotel opposite Union Park and stayed; I returned to New-Haven; she wouldn't come; she wouldn't speak to me kindly; I went down again, and got there just before the gas was lighted; I ran up stairs to the second floor; *I saw Mrs. Bennett sitting on Horace Smith's lap, his arms around her, and her arms around him, and they a hissing each other*; [Tittering;] this was in one of Mrs. Newman's houses; she had three houses.

Q.—Was it a boarding-house? A.—It was a very singular one; she boarded some of the women who lived there.

Q.—Was there any other person in the room where you saw your wife and Horace Smith with their arms around each other? A.—*No other soul.*

Q.—Anything further that you know? A.—I had been there several times before; this was the third time I was there; but she would not come back to New-Haven; after this she came back.

Q.—When you went into the room what did you say? A.—I threw my carpet-bag down, *and sat down and fairly groaned; I could say nothing*; I said nothing, but she said "My gosh has been here until within a few minutes, and Mr. Smith the same; and has been lying on the sofa all day;" she said the reason I had to find her so was, *that she felt sorry, or pitied* him.

Q.—Any other circumstances? A. She finally came up home, very quick after that; and seemed very glad to get home; she knew, and I thought that perhaps *we should live happily*; she told me that she had been over to Mrs. Beckley at Stubetown, and had been over to Mrs. Beckley at Stubetown, and stayed there; and that she had been with Horace Smith to a party in New-York; I Horace Smith to a party in New-York; I spoke some of her having been in that company; she flew back; I told her I was astonished; she replied, as she had before, that she knew I had pitied him; I told her that I would not live with her; I don't know but one day, after dark, or in the evening, she put in one of these pieces of paper, and said what; she put in one of these pieces of paper, and said what; she put in one of these pieces of paper, and said that she knew my mind, and if she could get rid of me, and that she knew my mind, and if she could get rid of me, and that she knew my mind, and if she could get rid of me, and

The New-York Times Saturday, December 11, 1920.

Unfinished Combination in Good Works.

A Modern Conservative on Territorial Expansion.

Political Position of the New Senator from South Carolina.

LAW REPORTS.

COURT CALENDAR—Monday.

POULTRY AND GAME.

FISH.

FAMILY MARKET PRICES CURRENT

MARINE MATTERS.

COURT OF COMMON PLEAS—Dec. 8.

SUPERIOR COURT—Dec. 9.

COURT OF GENERAL SESSIONS—Dec. 10.

SUPREME COURT—Circuit—Nov. 30.

SUPREME COURT—Circuit—Not made out.

COURT CALENDAR—Monday.

GENERAL MARKETS.

FOR THE HOLIDAYS.

LECTURES.

BUSINESS CHANCES.

NEW-YORK, SATURDAY, DEC. 11, 1858.

NEWS OF THE DAY.

LATEST BY TELEGRAPH.

CITY INTELLIGENCE.

Our Foreign Policy.

The Bible in Schools.

Economical Charities.

Amusements.

AMUSEMENTS.

FURS.

FURS! FURS! GOOD FURS!

FURNISH MINK GREATER THAN EVER.
FURNISH MINK PALE VERY LARGE HALF CAPES.
VERY FINE MUFF.
OR
CHOICE LARGE CAPE.
OR
FURNISH MINK FOR $34.
OTHER FURS
ROOM MINK SIZE $25.
QUALITY CHEAP.
FURS REPAIRED.
KLEIN,
No. 641 Broadway,
Up stairs.

LADIES!

HAVOY BROS.

HAVOY BROS. & CO.,
NICHOLS & CO.,
SACK,
NO. 61 MAIDEN-LANE, NEW-YORK,
AT WHOLESALE OR RETAIL, A new and large stock, AT REDUCED PRICES.

LOST OR THE NIGHT HAWK.
LOST, ON THE NIGHT OF THE 11th inst., between Seventh-av. and Broadway, a Gold Watch, with Monogram on back. The finder will be liberally rewarded by leaving it at 1,000 Seventh-av.

LOVE IN LUXURY.
Sweeping Reductions in Prices of Parlor, Chamber and Dining-room Furniture, to close out the Stock at 61 and 63 West 23d-st.

BROADWAY THEATRE.
NEW ATTRACTION THIS EVENING, Dec. 11, and EVERY EVENING during the week.
GREAT SUCCESS
of the new and beautiful Comedy,
OUR BOYS.
Which has been received with the most unbounded applause by crowded houses.
Doors open at 7½ o'clock. Performance commences at 8 o'clock.
Box office open from 10 A. M. to 5 P. M.
Admission, 50 cents.

BOWERY THEATRE.
Lessee and Manager, Mr. JOHN A. STEVENS.
Stage Manager, Mr. J. W. CARROLL.
THIS EVENING, Dec. 11,
Will be presented the Drama of
OLIVER TWIST;
OR, THE PARISH BOY'S PROGRESS.
Oliver Twist, Miss ADA DYAS.
Fagin, Mr. J. W. CARROLL.
Bill Sikes, Mr. JOHN A. STEVENS.
Nancy Sikes, Miss JULIA DALY (her first appearance in this character).
Mr. Brownlow, Mr. WALTER.
Doors open at 7. Commence at 7½ o'clock.

BROADWAY THEATRE—BROADWAY.
Lessee and Manager, Mr. H. GRIFFIN.
THIS EVENING, Dec. 11,
Will be presented the Drama of
THE MARRIAGE OF FIGARO.
Count Almaviva, Mr. H. GRIFFIN.
Figaro, Mr. J. W. CARROLL.
Cherubino, Miss JULIA DALY (her first appearance in this character).
Rosina, Miss ADA DYAS.
Doors open at 7. Commence at 7½ o'clock.

CHARLES CALA DAY AND NIGHT.
CHARLES CALA'S ART UNION,
No. 841 BROADWAY, CORNER OF TWENTY-SECOND-ST.
Open from 9 A. M. till 10 P. M.

CHICKERING HALL.
Mr. and Mrs. JOHN SHERWIN will give their
FIFTH ANNUAL MATINEE,
On THURSDAY, Dec. 12, at 3 o'clock.
Tickets, $1 each, may be had at the Hall.

CHRISTY'S MINSTRELS.
Mr. CHRISTY has the honor to announce that the
GRAND OPENING
Of his new and magnificent
OPERA HOUSE,
Will take place on
MONDAY EVENING, Dec. 16,
When a new and attractive programme will be presented.
Doors open at 7½ o'clock. Performance commences at 8 o'clock.
Box office open from 10 A. M. to 5 P. M.

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CONCERT.
Mr. CARL ROSA will give a
GRAND CONCERT
At STEINWAY HALL, on THURSDAY EVENING, Dec. 19, at 8 o'clock.
Tickets, $1 each, may be had at the Hall.

CONCERT.
Mr. and Mrs. ALFRED JAELL

MUSICAL INSTRUMENTS.

GRAND MEDAL OF HONOR AT THE UNIVERSAL EXHIBITION of 1856.

THE ACME OF PERFECTION IN PIANO-FORTES.

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ALBERT & MANUEL, Principals.

THE NEXT TERM will commence on MONDAY, Jan. 3, 1859.

PIANOS, MELODEONS AND ALEXANDER ORGANS.

PIANOS TO RENT.

A SPLENDID 7-OCTAVE ROSEWOOD PIANO-FORTE, of unusually fine tone and touch, with all the improvements, including Æolian attachment, for sale at a bargain. Address A. B., Box No. 2,321 Post-Office.

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A. MENTZEL, 7-OCTAVE ROSEWOOD PIANO-FORTE, of unusually fine tone and touch, with all the improvements, including Æolian attachment, for sale at a bargain. Address A. B., Box No. 2,321 Post-Office